



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
314124	10/23/81	Tullis	22178

EXAMINER	
MARTINELL	
ART UNIT	PAPER NUMBER
127	17 (p. 182)

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) Dr. Tullis (3) Mr. Korduan
(2) Dr. Campbell (4) Mr. Frank
Date of interview 10/18/85 (5) Mr. Martinell

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description: See attached set of proposed claims.

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: All

Identification of prior art discussed: Miller et al (1981), Stephenson et al, Zaslavskiy et al

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner gave Miller et al USP (4,511,713) to applicant. In view of intent to limit claims to oligodeoxynucleotides, the 112 rejections bridging pp. 2-3 and last full row on page 3 will be withdrawn. Applicant intends to avoid 112 rej. bridging pp. 3-4 by amendment. Applicant argued that instant invention differs from Miller et al (1981) in that Miller uses shorter oligonucleotides that bind to ERNts leading to non-specific effects while instant application deals with specific inhibition by binding to coding regions of mRNA (e.g., T Ag mRNA = 0.01% total message). Examiner pointed out that claims not limited to oligonucleotide size. Examiner favorably impressed with argument in connection with references dealing with 5' repeat

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

☐ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.



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ART UNIT	PAPER NUMBER
127	17 (p. 2 of 2)

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All participants (applicant, applicant's representative, PTO personnel):

(1) _____ (3) _____

(2) _____ (4) _____

Date of interview _____

Type: ☐ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: _____

Identification of prior art discussed: _____

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: ^{sequences in viral RNT (e.g. Zamechik).} Pending limitation of claims, Examiner favorably impressed regarding argument in connection with all 103 rejections. In view of new Miller et al (USP 41511,713) reference, Examiner will make a supplementary office action shortening the need of applicant to respond to the office action of 5/8/85. No comment as to patentability was made by the examiner.

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EXAMINER	
J. Martinell	
ART UNIT	PAPER NUMBER
127	12(p.182)

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) Dr. Tullis
Mr. Kovelman
- (2) _____
- (3) Mr. Serota
Mr. Martinell
- (4) _____

Date of interview 11/15/84

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: 1

Identification of prior art discussed: Summerton et al, Hastie et al, Patterson et al,
Miller et al (1977), Zamecnik et al

Applicant agreed with requirement for restriction as now stands. Applicant argued 112 rej. in that claims are enabled because RNAs are taken up by cells (Miller et al- 1977); exr. will consider applicant's arguments. Applicant asserted that Patterson et al and Hastie et al references use only long polynucleotides and harsh treatment of cells and achieve only a low level of transformation (10^{-5}). Also argued that high melting point detrimental to cells. Applicant further pointed to Miller et al as evidence that triester form of RNA enters cells. Applicant further argued that affidavit shows in vitro arrest to work and that use of oligonucleotide ~~XXXXXXXXXX~~ complementary

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81-3679 PTOL-413 (rev. 1-81)

Examiner's Signature

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Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: _____

Identification of prior art discussed: _____

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: to coding region of mRNA is not obvious to use because ribosome is capable of translating mRNAs that have a high degree of secondary structure. Applicant intends to argue this on the record and supply reference(s) showing such translation. Examiner will reconsider. No comment as to patentability was made.

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